

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID N. ZIMMERMAN,)	Civ. No. 2:16-cv-14005-AC-SDD
Individually and on Behalf of All Others)		
Similarly Situated,)	Hon. Avern Cohn
)	
Plaintiff,)	<u>CLASS ACTION</u>
)	
vs.)	NOTICE OF SETTLEMENT AND
)	STIPULATED ORDER TO STAY
DIPLOMAT PHARMACY, INC., et al.,)		PROCEEDINGS
)	
Defendants.)	
)	

Lead Plaintiffs David N. Zimmerman, William Kitsonas and the Government Employees' Retirement System of the Virgin Islands (collectively, "Plaintiffs") and defendants Diplomat Pharmacy, Inc., Philip R. Hagerman and Sean M. Whelan (collectively, "Defendants"), and together with Plaintiffs (the "Parties"), hereby stipulate and request as follows:

WHEREAS, on April 11, 2017, the Plaintiffs filed the Amended Complaint for Violations of the Federal Securities Laws (ECF No. 20) (the "Amended Complaint") in the above-captioned matter;

WHEREAS, on January 19, 2018, the Honorable John Corbett O'Meara denied Defendants' Motion to Dismiss the Amended Complaint (ECF No. 36);

WHEREAS, on February 16, 2018, this matter was reassigned to this Court (ECF No. 40);

WHEREAS, on August 9, 2018, the Court denied Defendants' Motion for Reconsideration (ECF No. 46);

WHEREAS, on March 7, 2019, Plaintiffs filed their Motion for Class Certification (ECF No. 56);

WHEREAS, the Parties had reached agreement on a briefing schedule in connection with Plaintiffs' Motion for Class Certification, subject to Court approval;

WHEREAS, the Parties have now reached an agreement in principle to settle the claims and allegations in the action and are currently negotiating the terms of a Stipulation of Settlement;

WHEREAS, the Parties are undertaking their best efforts to agree upon and execute a Stipulation for Settlement for presentation to the Court for preliminary approval within twenty-one (21) days.

THEREFORE, in the interest of facilitating the Parties' resolution of the action and preserving the resources of the Parties and the Court, the Parties agree and stipulate that all proceedings in the above-captioned matter be stayed until April 22, 2019, on or before which the Parties expect to file a Stipulation of Settlement and motion for preliminary approval with the Court. Nothing herein shall be deemed to constitute a waiver of any rights, defenses, objections or any other application to any

court that any party may have with respect to the claims set forth in the Amended Complaint.

Based on the stipulation of the undersigned parties, and the Court being otherwise fully advised in the premises, **IT IS HEREBY ORDERED THAT:**

All proceedings in the above-captioned matter are hereby stayed until April 22, 2019. The Parties are to file a Stipulation of Settlement and motion for preliminary approval on or before April 22, 2019.

SO ORDERED.

Date: April 3, 2019

s/Avern Cohn
U.S. District Judge

The undersigned stipulate to the entry of this order.

DATED: April 2, 2019

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DATED: April 2, 2019

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DATED: April 2, 2019

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